Scottish Public Services Ombudsman Act 2002

2002 asp 11

Investigations by the Ombudsman

14 Obstruction and contempt

(1) Where—

(a) a person, without lawful excuse, obstructs the Ombudsman in the performance of the Ombudsman's functions, or

(b) a person does any act or fails to take any action in relation to an investigation which, if the investigation were a proceeding in the Court of Session, would constitute contempt of court,

the Ombudsman may apply by petition to the Court of Session for the person to be dealt with in accordance with subsection (2).

(2) Where such a petition is presented, the Court of Session may inquire into the matter and after hearing—

(a) any witnesses who may be produced against or on behalf of the person in question, and

(b) any statement which may be offered in defence,

may deal with the person as if the person had committed a contempt of court in relation to the Court of Session.

(3) Nothing in this section is to be construed as applying to the taking of such action as is mentioned in section 12(6).